

TOWN HILL EXPANSION OF JURISDICTION AND GUIDELINES

DRAFT FOR DESIGN REVIEW BOARD REVIEW 4.23.09

§ Section 125-109 Definitions

Viewshed – An elevated or unobstructed location, position, or area that permits an unhindered panoramic vista of particular interest or pleasure or unique view to or from a particular point.

Visual Impact – A modification or change that could be compatible with the scale, from texture, mass or color of the natural or built environment.

§ 125-111 Design Review Board.

- C. Jurisdiction. The Review Board's jurisdiction shall be limited to the Design Review Overlay District identified in § 125-112A. The Review Board shall be concerned with those elements of development, redevelopment, rehabilitation and/or preservation that affect the visual quality of the district, subject to view from a public street. In Downtown Business Districts, this review includes views from public streets and parking lots, as well as the view from the waterfront. In Town hill village, all sides of the building and the overall property development are subject to review. The Board shall not consider the interior floor plan layout arrangements of buildings as part of their review, but shall use the floor plan layout to know where entry and exit point are located and other building elements that affect the exterior of the building.

§ 125-112. Applicability of design review.

- A. Design Review Overlay District. [Amended 11-4-2003; 11-2-2004]
- (1) The provisions of this article shall apply only within the geographic limits of the following Design Review Overlay District, hereinafter called the "district.
 - (2) Boundaries of the Design Review Overlay District. The district shall include the following neighborhood districts as shown on the Official Neighborhood Districts Map of Bar Harbor: the Downtown Business District; the Shoreland General Development I District; the Bar Harbor Historic District; ~~and~~ the Bar Harbor Historic Corridor District (excluding those corridor districts on Route 3 that are within the area of the Town shown on Tax Map 11D) and the Town Hill Village District. The district is depicted on the map titled "Design Review Overlay District of the Town of Bar Harbor, Maine." The district also includes individual properties

with the following uses, regardless of their district location: TA-1, TA-3, TA-4, and TA-6.

125-114 Design review standards.

- B. Standards relating to visual compatibility. The following standards for visual compatibility shall apply to all activities subject to a certificate of appropriateness within the Design Review Overlay District. These standards are intended to guide the design, construction, and maintenance of buildings, improvements, signs, and other visual features within the district to assure that they complement the visual character of the district and to serve as a foundation for the review of an application for a certificate of appropriateness. These standards are intended to be general statements of design principles to which activities within the district are required to conform.

- (5) Building spacing. In the Downtown Business Districts, Wwhere an established pattern exists with respect to the placement of buildings on the lot vis-a-vis the side lot lines, new or modified buildings shall reflect the established pattern to the extent allowed by the setback provisions of the district in which they are located. In an area where the existing buildings all extend the full width of the lot, constructing a new building so that it is set back from the lot line is not consistent with this guideline unless the setback is required to meet zoning requirements.

- (9) Multiple Buildings on a lot in the Town Hill Village District

In the Town Hill Village District, the layout of buildings on a lot shall reflect the layout of other lots in the district with multiple buildings. The arrangement of the buildings should be visually compatible with the street and with the buildings on the lot.

- (10) Viewshed in Town Hill Village

Building height and placement are subject to further review in the Town Hill Village District to determine any visual impacts to retain the vista along Route 102 from the Crooked Road intersection to the Pine Heath Road intersection.

- C. Standards for materials and design details for structural projects. The following standards are intended to assure that proposals conform to the quality of design that has historically been associated with buildings within the district. ~~These standards apply to projects involving the design, construction, renovation, and/or maintenance of the actual structure of the building. Separate provisions are provided for maintenance, renovations, construction, demolition/relocation, and seasonal closures.~~ The structural standards have been designed to promote

compatibility with Bar Harbor's historic character and its scenic location. Certain types of design are inappropriate within the designated Design Review Overlay Districts since they will not meet these standards and thus do not enhance the existing visual character or preserve Bar Harbor's uniqueness.

- (1) Construction standards. With the advent of many new exterior materials, the standards are not intended to prohibit the use of all new materials. Therefore, any quality material that simulates traditional features will be evaluated on a case-by-case basis. The following standards apply to the construction of new buildings, additions to existing buildings, reconstruction, and major renovations:

(a) Siding material.

[1] Siding is applied as the exposed surface on the outside walls of buildings to provide a barrier against the penetration and infiltration of weather and at the same time enhance the visual and architectural quality of the structure in keeping with other buildings in the district. The selected siding should be visually compatible with other exterior finishes on the building and with those buildings to which it is visually related.

[2] The siding used on the building should be a material that is in common use within the overlay district. The following are appropriate siding materials:

[a] Clapboards/shiplap.

[b] Shingles/shakes.

[c] Stucco/concrete. Stucco with wood trim interruption (English Tudor) is acceptable. Concrete block and poured or precast concrete are acceptable for foundation and fire walls but are generally not appropriate for wall surfaces that can be seen from a public street. Masonry products designed to replicate other appropriate materials are acceptable siding.

[d] Brick.

[e] Stone.

[f] Vinyl/metal siding. Vinyl or metal siding designed to replicate traditional siding material is appropriate but flat or corrugated metal or plastic panels are inappropriate as siding within the district.

[g] In Town Hill, barn board, and board and batten

[3] Unfinished plywood or composite flat sheet products such as T-111, barn board, and board and batten are not appropriate siding materials, except for projects subject to design review but are appropriate for areas that cannot be seen from a public street.

~~[4] With the advent of many new exterior materials, the standards are not intended to prohibit the use of all new siding materials. Therefore, any quality material that simulates traditional features will be evaluated on a case-by-case basis.~~

(c) Windows.

[1] Windows are glassed openings in the exterior walls of buildings to admit light and air, allow for viewing, permit merchandise display, and to enhance the architectural beauty of the structure. The windows in a building shall be visually compatible. Almost any style is appropriate as long as the size is proportional to the building and maintains the architectural continuity of the building.

~~[2] The following window materials are appropriate within the district: wood, vinyl, and lead.~~

~~[32] Other materials~~ Materials are appropriate if they simulate traditional materials or are visually compatible with other components of the building.

(d) Doors and doorways (in the Downtown Business Districts only).

[1] Doors are a means of safe and orderly entrance to and egress from buildings. As the entrance to the building, the front or main door is often the focal point of the principal facade. Therefore, care must be taken in designing the doorway and selecting a door that is visually compatible with the structure.

[2] Doors and doorways shall conform to the following standards:

[a] Major store entrance doors shall be recessed from the property line so as not to interfere with pedestrian traffic when they are opened.

[b] Front doors shall have transoms above to the full height of store windows if this is consistent with the established pattern of other entrance doors.

~~[3] The following are appropriate materials for doors: wood, metal, vinyl and fiberglass.~~

(e) Roofing.

~~[2] The following are appropriate materials for roofs that are visible: asphalt and fiberglass shingles or roll roofing, slate, clay or cement tile, copper, gravel built up roof, shakes, and vinyl or rubberized roofing.~~

~~[32]~~ In the Downtown Business Districts, Bbrightly colored metal, plastic or fiberglass roofing is visually incompatible with the character of the district and therefore inappropriate. ~~With the~~

~~advent of many new roofing materials, the standards are not intended to prohibit the use of all new siding materials. Therefore, any quality material that simulates traditional features will be evaluated on a case-by-case basis.~~

[43] Other materials are appropriate if it is demonstrated that they are visually compatible with the overall building.

[54] In the Downtown Business Districts, Appropriate roof colors include neutral shades such as earth tones, grays, and black. Bright or primary colors are not appropriate.

(g) Entrances.

[1] In the downtown business districts, An entrance is much more than a doorway. It is a means of getting from the street to the front door and may include changes in grade, protection from the elements, and/or a degree of landscaping and lighting. The entrance to the building shall be visually compatible with the overall building treatment and should be the focal point of the facade. The entrance shall be designed and placed to have both a visual and functional relationship to the street and sidewalk.

(3) Standards for seasonal closures.

(e) Signs shall be left in place or removed. The covering or wrapping of signs with tarp or other plastic materials is not appropriate. The use of a canvas cloth covering the sign, and bearing the name of the business is encouraged.

D. Standards for materials and design details for accessory projects. The following standards apply to projects that do not involve the actual structure of the building but significantly impact upon the visual environment and the compatibility of the building with the character of district. Separate standards are provided for awnings, canopies, and umbrellas, outdoor displays, lighting, and landscaping. The accessory standards have been designed to promote compatibility with the district's historic character and its scenic location.

(1) Standards for awnings, canopies, and umbrellas. The objective of the Town is to encourage property owners and businesses to make permanent improvements to the property in the district. Therefore, the use of temporary structures is discouraged. At the same time, the Board recognizes that awnings, canopies, and umbrellas can provide cover, add color, provide shade, and serve as a transition between the storefront and the upper facade in the case of awnings and canopies.

(a) General standards.

~~[2] In addition, the following standards apply to any awning or canopy:~~

~~[a] Lettering or graphics shall be placed on a valance of no more than 12 inches attached at the awning bar;~~

~~[b] Graphics on an awning or canopy or attached valance are considered signage and must comply with the requirements of this chapter relating to signs.~~

(3) Landscaping standards. The landscaping standards are intended to maintain and enrich the character and beauty of the Town through the regulation of landscaping which provides aesthetically pleasing scenery, shelter and food for wildlife, natural boundaries and buffers for people, and the control of erosion. The landscaping in conjunction with the construction of a new building or an addition to existing buildings, or major landscaping projects that significantly alter the exterior appearance of a building that is used in whole or in part for nonresidential purposes, is subject to approval by the Design Review Board.

(a) Materials. Materials and types of vegetation for landscaping are too numerous to list and most are acceptable; however, the material chosen shall be visually compatible with the building.

(i) The use of invasive species as listed by the University of Maine Cooperative Extension is discouraged

(b) Design. The design of the landscape should enhance the appearance of the building as well as the grounds. Landscaping shall not block unique architectural features of the building or appear disproportional to the lot and building size.

(c) Town Hill Village plantings shall include street tree plantings. Parking areas shall be screened from Route 102. Shrubs and other materials shall enhance the buildings. All other requirements in Section 125-67.H shall be followed.